

Exhibit Q

to Hawkins Declaration

Plaintiffs' Motion for Class Certification

Michelo et al. v. Nat'l Collegiate Student Loan Trust 2007-2 et al., No. 18-CV-1781

Bifulco et al. v. Nat'l Collegiate Student Loan Trust 2004-2 et al., No. 18-CV-7692

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FRANK LLP CONCENTRATES ITS PRACTICE IN CLASS ACTION LITIGATION, PARTICULARLY IN CASES INVOLVING ANTITRUST LAW, FEDERAL SECURITIES LAW, AND CONSUMER PROTECTION.

ANTITRUST

FRANK LLP, and its predecessor firms, represent purchasers, retailers, and individuals in complex federal antitrust litigation.

For example, in *Hartig Drug Co. v. Senju Pharmaceutical Co.*, litigated in the U.S. District Court for the District of Delaware, FRANK LLP and co-counsel for the plaintiff recently achieved a \$9 million settlement of a putative class action alleging that large drug companies violated antitrust law through a scheme to delay market entry of generic versions of eye care products. The following list is a small representative sample of the firm's antitrust experience:

Commodities Antitrust Actions:

In re Flat Glass Antitrust Litigation
In re Packaged Ice Antitrust Litigation
In re Fresh and Process Potatoes Antitrust Litigation

Pharmaceutical Antitrust Actions

Hartig Drug Co. Inc. v. Senju Pharm Co.
In re Blood Reagents Litigation
In re Lipitor Antitrust Litigation

Consumer Products Antitrust Actions

Kleen Prods. Corp. v. Pack'g Corp. of Am.
In re Food Service Equipment Hardware Antitrust Litigation

In re Air Cargo Carrier Antitrust Litigation

McDonough v. Toys "R" Us

In re Fasteners Antitrust Litigation

In re Cathode Ray Tube (CRT)

Antitrust Litigation

In re Trans Pacific Passenger

Air Transportation Antitrust Litigation

Slattery v. Apple Computer Inc.

In re Aftermarket Filters Antitrust Litigation

In re Korean Airlines Co. Ltd.

Antitrust Litigation

In re Refrigerant Compressors Antitrust Litigation

Financial Antitrust Actions

In re American Express Antitrust Litigation

Dahl v. Bain Capital Partners

Payment Card Interchange Fee and Merchant Discount Antitrust Litigation

SECURITIES FRAUD

FRANK LLP's attorneys have represented lead plaintiffs as lead counsel or a member of the executive committee, and have also represented class representatives, in successful securities actions throughout the United States, including the following:

In re Royal Ahold Sec. Litig. (recovery of \$1.1 billion); *In re Merrill Lynch & Co. Sec., Deriv., & ERISA Litig.* (\$475 million); *In re Williams Sec. Litig.* (\$311 million); *In re General Motors Corp. Sec. Litig.* (\$303 million); *In re*

Merrill Lynch & Co., Inc. Research Reports Sec. Litig. (\$125 million); *In re New Century Corp. Sec. Litig.* (\$125 million); *In re JWP Inc. Sec. Litig.* (\$40 million); *In re Picture-Tel Inc. Sec. Litig.* (\$14 million); *In re Marion Merrell Dow Inc. Sec. Litig.* (\$14 million); *LaVallie v. Owens-Corning Fiberglas Corp.* (\$10 million); *Lowry v. Andrx Corp.* (\$8 million); *In re Xybernaut Corp. Securities MDL Litigation* (\$6.3 million); *Brody v. Zix Corp.* (\$5.6 million); *In re ContiFinancial Sec. Litig.* (\$5.5 million); *In re EIS Int'l Inc. Sec. Litig.* (\$3.8 million); *In re Quintiles Transnational Sec. Litig.* (\$3 million).

The firm has served as lead or co-lead counsel, a member of the executive committee, or counsel to a class representative in many cases, including the following:

In re Vivendi Universal, S.A. Sec. Litig.; *In re Royal Bank of Scotland Group PLC Sec. Litig.*; *In re Deutsche Bank AG Sec. Litig.*; *Scott v. ZST Digital Networks*; and *In re Stillwater Capital Partners*.

FRANK LLP's attorneys have also represented institutional plaintiffs in individual actions against Credit Suisse Securities (U.S.A.), Deutsche Bank Securities, AOL Time Warner, and Royal Dutch Petroleum for violations of state and federal securities laws.

SHAREHOLDER RIGHTS AND DERIVATIVE ACTIONS

FRANK LLP is very active litigating actions on behalf of companies against their officers

and directors for breach of fiduciary duties or against third parties for breach of contract. FRANK LLP's attorneys have also represented shareholders of Celera Corp. against certain of its officers and directors for breaches of fiduciary duty arising out of a takeover of Celera Inc.; and is a member of the Executive Committee representing shareholders against El Paso Corporation against certain of its officers and directors.

FRANK LLP's attorneys are or have been lead or co-lead counsel or represented a plaintiff in derivative actions for the benefit of Krispy Kreme Doughnuts, Inc., nVidia Corp., Arbitron, Inc., The Limited, Inc., Gilman and Ciocia, Inc., Ambac Financial Group, Inc., Norland Medical Systems, Equinix, Inc, First Marblehead Corp., Barnes & Noble Inc, and many others.



FRANK LLP is also active representing shareholders of companies being acquired for inadequate takeover consideration or failure to maximize shareholder value.

FRANK LLP's attorneys were lead counsel or represented shareholders in cases involving Smart Modular Technologies, Inc; Gymboree Corp; Claire's Stores, Inc., Charlotte Russe Holding, Inc., BJ Services,

Co., Hearst-Argyle Television, Inc., Sirna Therapeutics, Inc., Chaparral Resources, Inc., The Topps Company, Inc., Genentech, Inc., Jacuzzi Brands, Inc.; Burlington Northern Santa Fe; Black & Decker Inc., 3Com Corp.; Alcon, Inc., XTO Energy, Inc.; Continental Airlines, Inc.; Facet Biotech Corp.; Infogroup Inc.; Double-Take Software, Inc.; Iowa Telecom. Serv., Inc.; Maine & Maritimes Corp.; Millipore Corp.; ATC Tech. Corp.; Abraxis Bioscience Inc.; Trubion Pharmaceuticals, Inc.; Pactiv Corp.; Polymer Group, Inc.; Citadel Broadcasting Corp.; Hewitt Associates, Inc.; Thermadyne Holdings Corp.; Wainwright Bank & Trust Co.; Jo-Ann Stores, Inc.; NYMagic, Inc.; NYSE Euronext; Smurf it-Stone Container Corp.; RAE Systems, Inc.; Actel Corp.; ArcSight, Inc.; Pride Int'l Inc.; Nat'l Semiconductor Corp.; OptionsXpress Corp.; LaBarge, Inc.; K-Sea Trans. Partners, LLC; Frontier Oil Corp.; Emergency Medical Services Corp.;



Tomotherapy Inc.; Del Monte Foods Co.; Warner Music Group Corp.; Int'l Coal Group; Ness Techs., Inc.; Lawson Software, Inc.; California Pizza Kitchen, Inc.; Allied Healthcare, Inc.; and Interactive Data Corp.

CONSUMER PROTECTION

In the consumer protection area, FRANK LLP's attorneys have represented consumers in class actions in various roles including lead counsel involving, *inter alia*, data breaches of consumer accounts and stolen personal and financial information, wrongful reduction or cancellation of home equity lines of credit by major U.S. banks; defective parts on automobiles, mold in front-loading washing machines; wrongful billing practices and poor service by wireless communications providers; wrongful billing practices by credit card companies, banks and retailers; problems with appliances and their installation; mislabeling of imported olive oil; mislabeling of domestic pasta; brokerage fees imposed with no or insufficient notice; Medicaid overcharges; and faulty automobile seat heaters.

FRANK LLP has litigated numerous consumer protection actions. In *Toohey v. Portfolio Recovery Assocs.*, FRANK LLP served as counsel to a class of consumers who alleged the nation's second-largest debt buyer used deceptive state-court filings to further their collections. A July 2020 settlement approved by the U.S. District Court for the Southern District of New York yielded the maximum statutory damages under the FDCPA, plus equitable relief in the form of repair to class members' credit report.

In *In re Ford Tailgate Litigation*, FRANK LLP served as co-lead counsel in a class action lawsuit on behalf of a nationwide class of purchasers of certain Ford vehicles. This action, litigated in the U.S. District Court for the Northern District of California, concluded with a confidential settlement agreement.

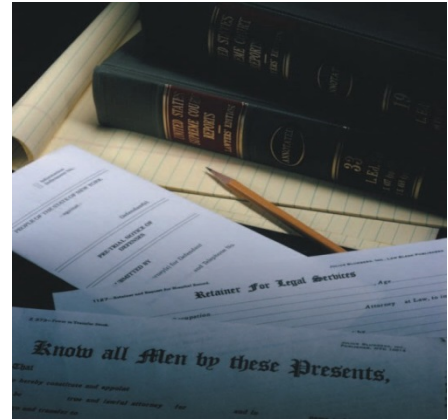
In *Walker v. Discover Corp.*, FRANK LLP represented a class of consumers who were overcharged for payment protection products on their credit cards. The case settled for more than \$10 million.

In *Connolly v. Sony, et al.*, FRANK LLP filed a class action lawsuit on behalf of a nationwide class of users of Sony's PlayStation Network ("PSN"). Plaintiff alleged that subsequent to a security breach of the PSN in April 2011, Sony failed to promptly inform customers that hackers had accessed users' sensitive personal information, leaving them vulnerable to identify theft and fraud. Moreover, without any notice to its customers, Sony shut down the PSN for nearly one month which prohibited customers from accessing a multitude of services they had paid for including, but not limited to, Netflix and Hulu.

Among its cases of note, FRANK LLP's attorneys recovered benefits worth \$40 million in *Naevus Int'l v. AT&T Corp.*, a consumer class action brought in New York State Supreme Court on behalf of consumers who subscribed to AT&T's Digital One Rate wireless service. In 2005, the firm settled with Volkswagen of America, forcing a recall of all 2003 and 2004 Volkswagen Jettas for faulty automobile seat heaters.

In *Sclafani v. Barilla America, Inc.*, a consumer class action brought in New York State Supreme Court on behalf of consumers who purchased Barilla brand pasta, FRANK LLP's attorneys successfully argued that Barilla's packaging misled consumers into

believing the company's pasta was made in Italy, obtaining a reversal of a trial court dismissal.



Similarly, in *Lomenzo v. Bertolli USA Inc.*, a consumer class action brought in New York State Supreme Court, FRANK LLP's attorneys successfully argued that Bertolli's labeling misled consumers into believing the company's olive oil was Italian.

FRANK LLP's attorneys have been active in litigating for consumers alleging they were subjected to unlawful debt-collection practices after purported accounts for credit cards, student loans, and the like were sold on the secondary market. For example, in the consolidated putative class actions *Michelo v. National Collegiate Student Loan Trust 2007-2* / *Bifulco v. National Collegiate Student Loan Trust 2004-2*, the U.S. District Court for the Southern District of New York has approved the plaintiffs' theory of liability in denying motions to dismiss.

FRANK LLP's attorneys have repeatedly utilized the Freedom of Information Act ("FOIA") in seeking public records from government agencies that support their clients' claims, obtaining thousands of pages of such documents.

JUDICIAL COMMENDATIONS

Kosseff v. Gilman & Ciocia, Inc., C.A. No. 188-MG (Del. Ch. Oct. 31, 2008), in which the Court stated “I note that plaintiff’s attorneys are capable of sophisticated corporate litigation and have a good reputation within the bar.”

In re Merrill Lynch & Co., Inc. Research Reports Sec. Litig., 246 F.R.D 156, 164, 174 (S.D.N.Y. 2007), in which the Court commended FRANK LLP attorney’s “skillful and zealous representation over a six-year period,” and finding the “high quality of representation provided by Lead Counsel is evident from the extensive record of this case.”

In re General Motors Corp. Sec. Litig., 05-CV-8088 (S.D.N.Y. 2006), in which the Court, before appointing the firm lead counsel, stated: “we know Mr. Frank very well, so they are both esteemed and experienced attorneys in these matters, and I don’t think anybody could go wrong with either one of them to be honest with you.”

In re Credit Suisse First Boston Corp. (Agilent Tech. Inc.) Analyst Reports Sec. Litig., 431 F.3d 36 (1st Cir. 2008), in which the First Circuit stated the plaintiffs were “ably represented.”



Kinney v. Metro Global Media, Inc., 170 F. Supp. 2d 173 (D.R.I. 2001), in which the court expressed an “appreciation for how difficult this case was for all sides, for how hotly contested many of the issues in this case were from the get-go and how reaching a settlement, given all of those considerations, was particularly difficult; so I commend all of you for persevering in the efforts that you made toward reaching a settlement . . . [and] for achieving what I find to be a fair, adequate and reasonable result[.]”

Miller v. Bonmati, Del. Ch., C.A. No. 15849, Lamb, V.C. (Del. Ch. March 18, 1999), in which the Court stated “I am quite pleased by the work that was done by the plaintiffs’ counsel. They seem to have done a very professional job of dealing with a difficult situation and have obtained, from everything I can ascertain from the record in front of me, quite a beneficial settlement that gives an opportunity for this situation to work itself out.”

MARVIN L. FRANK was admitted to the bars of New York, New Jersey, and the United States District Court for the District of New Jersey in 1991, the United States District Courts for the Southern and Eastern Districts of New York in 1992, the Second Circuit in 1998, the Seventh Circuit in 1999, the United States Supreme Court in 2004, the District of Nebraska in 2005, the Eastern District of Michigan in 2006, the Northern District of Texas in 2006, the Western District of New York in 2008, and the Northern District of Illinois in 2008. Mr. Frank graduated with a Bachelor of Arts degree from The City College of New York in 1969, a Master of Business Administration degree from Bernard M. Baruch College in 1974, and received his Juris Doctor degree, *magna cum laude*, from New York Law School in 1991. At New York Law School, he received the Kaplun Foundation Award For Academic Excellence.

Mr. Frank's major cases include *In re General Motors Corp. Sec. Litig.*, 05-CV-8088 (S.D.N.Y.), in which the Court, before appointing the firm lead counsel, stated "we know Mr. Frank very well, so they are both esteemed and experienced attorneys in these matters, and I don't think anybody could go wrong with either one of them to be honest with you"; *Kosseff v. Gilman & Ciocia, Inc.*, C.A. No. 188-MG (Del. Ch. Oct. 31, 2008), in which the Court stated "I note that plaintiff's attorneys are capable of sophisticated corporate litigation and have a good reputation within the bar"; *Sclafani v. Barilla*

America, Inc., 2004-03542 (N.Y. App. Div.), in which Mr. Frank successfully argued before the Supreme Court's Appellate Division that General Business Law § 349(d) did not establish a complete defense to a plaintiff's allegation that Barilla's packaging misled consumers into believing the company's pasta was made in Italy, obtaining a reversal of a trial court dismissal; *Miller v. Bonmati*, Del. Ch., C.A. No. 15849 (Lamb, V.C.) (Del. Ch. Mar. 18, 1999), in which the Court stated, while approving a \$9.9 million recovery: "I am quite pleased by the work that was done by the plaintiffs' counsel. They seem to have done a very professional job of dealing with a difficult situation and have obtained, from everything I can ascertain from the record in front of me, quite a beneficial settlement that gives an opportunity for this situation to work itself out."; *In re JWP Inc. Sec. Litig. (S.D.N.Y.)* (\$40 million recovery); *In re Marion Merrell Dow Inc. Sec. Litig. (W.D. Mo.)* (\$14 million); *In re PictureTel Inc. Sec. Litig. (D. Mass.)* (\$14 million); *In re ContiFinancial Sec. Litig. (S.D.N.Y.)* (\$5.5 million); *In re EIS International, Inc. Sec. Litig.*, 97-cv-813 (D. Conn. 2006), in which the Court stated: "I wanted to compliment counsel . . . We have been together quite a long time in the case and I appreciate all the fine legal work that you've done."; and *In re Quintiles Transnational Sec. Litig. (M.D.N.C.)* (\$3 million).

Mr. Frank is the Vice President of the Institute for Law and Economic Policy (ILEP), a public policy research and

educational foundation established to preserve, study, and enhance access to the civil justice system by shareholders and consumers and was Vice President of the Emerald Green Property Owners Association in Rock Hill, New York.

Mr. Frank co-wrote *Securities Class Actions: Improving Corporate Governance Through Accountability*, INTERNATIONAL BAR ASSOCIATION SECURITIES LAW COMMITTEE NEWSLETTER (Aug. 2010), and co-wrote *Staying Derivative Actions Pursuant to PSLRA and SLUSA*, NEW YORK LAW JOURNAL (Oct. 21, 2005) and the SECURITIES REFORM ACT LITIGATION REPORTER, Vol. 20, No. 3 (Dec. 2005). Mr. Frank has been a panelist at the Barcelona Bar Association Conference on class actions in Barcelona, Spain; a panelist at the American Banker's Association Operations Conference for Securities, Brokerage & Trust in Memphis, Tennessee; a panelist at the Magenta One Conference for Securities and Trust on the Isle of Jersey, United Kingdom; and a panelist at the Global Pensions' Conference on Shareholder Responsibility and Class Action Law in London.



GREGORY A. FRANK, a partner, prosecutes complex class action litigation, specializing in antitrust, securities, breach of contract, and consumer fraud actions. Mr. Frank represents aggrieved clients of all sizes, nationwide.

Mr. Frank's representations include that of purchasers of the pharmaceutical Zymar in *Hartig Drug Co., Inc. v. Senju Pharm. Co.*, No. 14-cv-00719 (D. Del.), involving allegations that the manufacturer monopolized the market for gatifloxacin. The Third Circuit confirmed the validity of the plaintiffs' claims in that action, *see* 836 F.3d 261 (3d Cir. 2016), and the matter settled in 2018 for \$9 million.

Mr. Frank has represented several large non-profit hospitals for damages they suffered as a result of an alleged antitrust conspiracy to limit the supply of life saving plasma-derivative protein therapies in *In re Plasma-Derivative Protein Therapies Antitrust Litigation*, No. 09-7666 (N.D. Ill.). Mr. Frank has also represented the class plaintiff in *In re Optical Disk Drive Antitrust Litigation*, No. 3:10-MD-2143 (N.D. Cal.), a case alleging the unlawful price fixing of disk drives for CDs, DVDs, and Blu-ray by their manufacturers, which include Sony, Panasonic, and Hitachi. In addition, he represents purchasers of containerboard products, such as corrugated boxes, against the manufacturers of those products in *Kleen Products LLC v. Packaging Corp. of America, et al.*, No. 1:10-cv-5711 (N.D. Ill.).

As a member of the American Society of Pharmacy Law, Mr. Frank is involved in

the prosecution of numerous other large scale antitrust actions pertaining to pharmaceuticals and medical devices, including *Skelaxin (Metaxalone) Antitrust Litigation*, 1:12-md-02343 (M.D. Tenn.); *In re Lipitor Antitrust Litigation*, No. 12-2389 (D.N.J.); and *In re: Photochromatic Lens Antitrust Litigation*, No. 10-md-02173-JDW-EAJ (M.D. Fla.).

Mr. Frank represented the American depository receipt ("ADR") Class Representative in a securities fraud class action against Vivendi Universal in *In re Vivendi Universal, S.A. Sec. Litig.*, No. 02-cv-5571 (S.D.N.Y.), where in January 2010 the jury returned a verdict that at the time had an estimated value of up to \$9 billion, placing it amongst the highest security action recoveries of all time. In July 2013, Mr. Frank obtained a settlement of \$1.7 million on behalf of the securities purchasers of ZST Digital Networks, Inc., in *Scott v. ZST Digital Networks Inc., et al.*, No. 11-cv-3531(GAF) (C.D. Cal.).

A Member of the Alumni Council of Dartmouth College, President of the Dartmouth College Club of New York, and Chairman of the Young Lawyer's Advisory Committee of the Dartmouth Lawyer's Association, Mr. Frank received his A.B. from Dartmouth College.

Mr. Frank received his J.D. from the Georgetown University Law Center, where he was a member of The Tax Lawyer, published by the American Bar Association Section on Taxation and edited by Georgetown Law.

ASHER HAWKINS, an associate, was admitted to practice in New York in January 2015. Prior to joining Frank LLP, he served a postgraduate judicial clerkship with the State of New York Supreme Court, Appellate Division, Third Judicial Department.

Mr. Hawkins graduated *magna cum laude* from New York Law School in 2014, attending as an evening student. He was an Articles Editor for the New York Law School Law Review, and received the school's top writing award for his final-year note. In addition, his paper about securities-related fraudulent conveyance litigation won first place in the American Bankruptcy Institute's 2014 Law Student Writing Competition.

Mr. Hawkins was employed full-time as a legal journalist both prior to and throughout law school. He has been a Staff Writer at Forbes magazine and a Reporter and Associate Editor at two American Lawyer Media publications; his journalistic work has also been published by Newsweek magazine and by Condé Nast's Ars Technica website.

Mr. Hawkins received his B.A. from the University of Pennsylvania, where he was a member of the Editorial Board of The Daily Pennsylvanian.

Mr. Hawkins has volunteered at Brooklyn's Civil Legal Advice and Resource Office, a clinic for low-income consumer debtors held weekly at the Kings County Civil Courthouse, as well as the New York City Bar Association's Consumer Bankruptcy Project, which similarly provides free legal assistance to low-income consumers.